REMARKS

Claims 1-31 are pending in the present application. By this Response, Claims 1, 18 and 30 are amended to recite that simulating a browser includes preparing an encoded data stream similar to one that is sent by an actual browser. Support for the amendments can be found at least on pages 14-15 of the present specification. Reconsideration of the claims is respectfully requested in view of the claim amendments and the remarks set forth below.

I.   Telephone Interview

Applicant thanks Examiner Bruckart for the courtesies extended to Applicant's representative during the February 17, 2004 telephone interview. During the telephone interview, Examiner Bruckart suggested to amend independent claims 1, 18 and 30 to recite that simulating a browser includes preparing an encoded data stream similar to one that is sent by an actual browser. Examiner Bruckart agreed that the above amendments overcome the Rogers reference. Therefore it is Applicant's understanding that, pending an update search by Examiner Bruckart, the present claims are now in condition for allowance. The substance of the interview is summarized in the following remarks.

II.   35 U.S.C. § 112, Second Paragraph

The Office Action rejects claim 1 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicant regards as the invention. This rejection is respectfully traversed.

Applicant respectfully submits that the phrase "simulating a browser" as recited in the claims of the present invention is not indefinite as alleged by the Examiner. The method for "simulating a browser" is defined at least on page 14, line 19–page 15, line 10 of the present specification, which reads as follows:

For communicating with the host that originated the applet, the applet simulates a browser in its communications with the host. Normally, the applet communicates with a server through a socket. This type of communication, using a socket does not work because the applet will try to run a program on the firewall server, believing that the firewall server is the hosting server, when no such program is present.

Specifically, the applet prepares a HTTP encoded stream similar to one that is sent by a browser. To provide this capability to the applet, the code making up the applet is designed to use HTTP and URL connection processes as described in more detail below in Figures 7A-7D. In creating the HTTP encoded stream, the applet will include a URL to the program at the host as well as identifying the data that will be passed to that program. Since the browser is able to communicate through a firewall, this encoded data stream from the unsigned applet also is able to pass through the firewall. In the depicted examples, the HTTP encoded stream is a universal resource locator (URL) encoded stream. On the originating host, a program receives and processes the stream from the applet.

Thus, the applet, in one exemplary embodiment, simulates a browser by preparing an HTTP encoded stream. Further, in this exemplary embodiment, the code making up the applet is designed to use HTTP and URL connection processes. Moreover, the claims are amended to recite that simulating a browser includes preparing an encoded data stream similar to one that is sent by an actual browser. Thus, Applicant respectfully submits that the phrase "simulating a browser" is defined in such a manner to reasonably apprise one of ordinary skill in the art of both the utilization and the scope of the invention.

Applicant therefore respectfully submits that claim 1 meets the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 112, second paragraph be withdrawn.

III.   35 U.S.C. § 102, Alleged Anticipation of Claims 1-5, 9-12, 18-22, and 26-31

The Office Action rejects claims 1-5, 9-12, 18-22, and 26-31 under 35 U.S.C. § 102(a) as being allegedly anticipated by Rogers et al. (U.S. Patent No. 5,974,441). This rejection is respectfully traversed.

With regard to claim 1, the Office Action states:

Regarding claim 1, a method in a data processing system (Rogers: col. 9, lines 24-28) with a host (Rogers: col. 5, lines 32-34), the method comprising:

simulating a browser in the data processing system to form a simulation (Rogers: col. 5, lines 14-20) wherein the browser being simulated is able to communicate through the firewall (Rogers: col.9, lines 24-28); and

communicating with the host directly using the simulation instead of using the browser (Rogers: col.18, lines 40-47).

Office Action dated November 26, 2003, page 3.

Claim 1, which is representative of claims 18 and 30 with regard to similarly recited subject matter, is amended to read as follows:

1.   A method in a data processing system for communicating across a firewall with a host, the method comprising:

simulating a browser in the data processing system to form a simulation, wherein the browser being simulated is able to communicate through the firewall, and wherein simulating the browser includes preparing an encoded data stream similar to one that is sent by an actual browser; and

communicating with the host directly using the simulation instead of using the browser. (emphasis added)

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). Applicant respectively submits that Rogers does not identically show every element of the claimed invention arranged as they are in the claims. Specifically, Rogers does not teach simulating a browser to communicate through a firewall, wherein simulating the browser includes preparing an encoded data stream similar to one that is sent by an actual browser. Similarly, Rogers does not teach communicating with the host directly using the browser simulation instead of using the browser.

Rogers is directed to a system that allows web users to request information that is created by a data interpretation system and then presented by a web server to the user of the web. In Rogers, data is retrieved from multiple sources and processed by a decision support capsule. Users can access data located on different databases in a form the user desires, such as a graphical format. (Rogers, column 5, lines 26-51) In other words, a user may use a graphical format set up as a hyperlink to more easily access information from multiple databases. In addition, the user may also enter input parameters such as a user id as shown in Figures 3 and 5, element 41 of Rogers. While Rogers may use a browser to display data in a form the user desires, there is nothing in Rogers that teaches simulating a browser in the data processing system, wherein the browser being simulated is able to communicate through the firewall, and wherein simulating the browser includes preparing an encoded data stream similar to one that is sent by an actual browser. Similarly, Rogers does not teach communicating with the host directly using the browser simulation instead of using the browser. To the contrary, Rogers presents data located on different databases using an actual browser, not a simulated browser.

In the February 17, 2004 telephone interview, Examiner Bruckart indicated that amending the claims to clarify that simulating the browser includes preparing an encoded data stream similar to one that is sent by an actual browser would define over the Rogers reference. Applicant respectfully submits that independent claims 1, 18 and 30, in their present state are now in condition for allowance pending an update search.

In view of the above, Applicant respectfully submits that Rogers does not teach each and every feature independent claims 1, 18 and 30 as required under 35 U.S.C. § 102(a). At least by virtue of their dependency on claims 1 and 18, respectively, Rogers does not teach each and every feature of dependent claims 2-5 and 19-22. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1-5, 18-22 and 30 under 35 U.S.C. § 102(a).

In addition to the above, Rogers does not teach all the features recited in dependent claims 2, 5, 19 and 22. For example, with regard to claims 2 and 19, Rogers does not teach that the simulating and communicating steps of claim 1 are performed by an applet. The Office Action alleges this feature is taught at column 10, lines 48-50. This section as well as surrounding text, reads as follows:

The improvements on the above description achieve online analytical processing from a web browser. The Web client accesses a web server and downloads HTML and a Java applet(s). The Java applet's execution is initiated by a web browser that can interpret Java. The Java applet communicates via TCP/IP sockets to a control program agent that executes on the web server. The control program agent provides the communication vehicle from the Web client to the data interpretation system (DIS), also known as the Intelligent Decision Server (IDS), via a Open DIS Access Server (ODAS).

This section simply teaches downloading HTML and Java applets from a Web server via TCP/IP sockets. As set forth above, Rogers simply does not teach simulating a browser. Rather, Rogers teaches displaying information in an actual web browser. Consequently, Rogers does not teach using an applet to simulate a browser or communicate with the host directly using the simulated browser, as recited in claims 2 and 19. Merely teaching applets in general does not anticipate an applet simulating a browser for communicating through a firewall.

With regard to claims 5 and 22, Rogers does not teach that the simulating step of claim 1 includes creating a universal resource locator connection with the host. The Office Action alleges this feature is taught at column 19, lines 54-59 which reads as follows:

> In FIG. 11, the web browser(s) 130 accesses an associated Web Server 131, 131', 131" either by a coupling or addressing with a uniform resource locator (URL) the Web Server 131 which may be selected with a Hyperlink.

While this section may teach addressing a Web server with a URL, once again, this section fails to teach anything about simulating a browser. Consequently, Rogers does not teach that the simulating step of claim 1 includes creating a universal resource locator connection with the host. Thus, in addition to being dependent on claims 1 and 18, dependent claims 2, 5, 19 and 22 are also allowable over Rogers by virtue of the specific features recited in these claims.

With regard to independent claim 9, the Office Action states:

> Regarding claim 9, a method in an applet (Rogers: col.10, lines 48-51 on a client data processing system (Rogers: col. 10, lines 48, 49) for transferring data across a fire wall (Rogers: col. 9, lines 24-28) to a host

data processing system (Rogers: col. 10, lines 55; IDS), the method
comprising:
> opening, by the applet, a universal resource locator connection to a
host data processing system (Rogers: col. 10, lines 51-59); and
> transferring data across the firewall directly between the applet and
the host data processing system using the universal resource locator
connection (Rogers: col. 10, lines 51-59).

Office Action dated November 26, 2003, page 4.

Claim 9, which is representative of claims 26 and 31 with regard to similarly
recited subject matter, reads as follows:

> 9.   A method in an applet on a client data processing system for
transferring data across a firewall to a host data processing system, the
method comprising:
> opening, by the applet, a universal resource locator connection to a
host data processing system; and
> transferring data across the firewall directly between the applet and
the host data processing system using the universal resource locator
connection. (emphasis added)

Rogers does not teach transferring data across the firewall directly between the
applet and the host data processing system using the universal resource locator
connection as recited in claims 9, 26 and 31 despite allegations made in the Office
Action. The Office Action alleges Rogers teaches this feature at column 10, lines 51-59,
which reads as follows:

> The Java applet communicates via TCP/IP sockets to a control program
agent that executes on the web server. The control program agent
provides the communication vehicle from the Web client to the data
interpretation system (DIS), also known as the Intelligent Decision Server
(IDS), via a Open DIS Access Server (ODAS). ODAS is a feature of a
data interpretation system that allows programs to initiate DIS functions,
such as invoking DIS capsules.

This section merely teaches that a Java applet communicates with a control
program agent on a web server via TCP/IP sockets. There is nothing in this section that
even alludes to transferring data across the firewall directly between the applet and the
host data processing system. At best, Rogers mentions that the intranet of Figure 11 is
located behind a firewall. The mere mention of a firewall in Rogers does not anticipate
transferring data across the firewall directly between an applet and a host data processing

system. Rogers is not concerned with allowing an applet to communicate with a host across a firewall. Other than mentioning a firewall and a browser, Rogers really has nothing to do with the presently claimed invention. Thus, Rogers does not teach transferring data across the firewall directly between the applet and the host data processing system using the universal resource locator connection as recited in claims 9, 26 and 31.

In view of the above, Applicant respectfully submits that Rogers does not teach each and every feature claims 9, 26 and 31 as required under 35 U.S.C. § 102(a). At least by virtue of their dependency on claims 9 and 26, respectively, Rogers does not teach each and every feature of dependent claims 10-12 and 27-29. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 9-12, 26-29 and 31 under 35 U.S.C. § 102(a).

IV.   35 U.S.C. § 102, Alleged Anticipation of Claims 13, 15 and 17

The Office Action rejects claims 13, 15 and 17 under 35 U.S.C. § 102(b) as being allegedly anticipated by Stern et al. (U.S. Patent No. 5,935,249). This rejection is respectfully traversed.

With regard to independent claim 13, the Office Action states:

> Regarding claim 13, a data processing system (Stern: col. 3, lines 51-55) comprising:
> a bus system (Stern: col. 4, line 24);
> a communications unit connected to the bus (Stern: col. 4, lines 24-30), wherein data is sent and received using the communications unit (Stern: col. 4, lines 31-36);
> a memory connected to the bus system, wherein a set of instructions are located in the memory (Stern: col. 3, lines 62-65); and
> a processor unit connected to the bus system (Stern: col. 4, lines 21-24), wherein the processor unit executes the set of instructions to simulate a browser in the data processing system in which the browser being simulated is able to communicate through the fire wall and communicate with the host directly instead of using the browser (Stern: col. 3, lines 57-60).

Office Action dated November 26, 2003, page 5.

Claim 13 reads as follows:

13.   A data processing system comprising:
a bus system;
a communications unit connected to the bus, wherein data is sent
and received using the communications unit;
a memory connected to the bus system, wherein a set of
instructions are located in the memory; and
a processor unit connected to the bus system, wherein the
processor unit executes the set of instructions to simulate a browser in the
data processing system in which the browser being simulated is able to
communicate through the fire wall and communicate with the host directly
instead of using the browser. (emphasis added)

Stern is directed to a network interface device embedded with a trusted
management function. The network interface device of Stern incorporates a secure
language processor, non-volatile memory, and a carrier sense circuit. The secure
language processor executes a secure language program, and the non-volatile memory
stores identification keys for remote devices and objects of value for network
applications. If an application program is to be executed or accessed by the host
computer, the secure language processor verifies that the object of value allows such
execution or access. If a remote network device attempts to control the functionality of
the network interface device, the secure language processor verifies that the remote
network device has the authority to issue such a command. (Abstract)

There is nothing in Stern that teaches simulating a browser. The Office Action
alleges this feature is taught at column 3, lines 57-60 of Stern. This section, as well as
surrounding text, reads as follows:

According to one embodiment, the secure network management
functions and other aspects of the present invention are implemented by a
processing unit in a network interface device connected to or built into a
network station. The processing unit executes a sequence of instructions
stored in a memory. The memory may be a random access memory
(RAM), read-only memory (ROM), a persistent store, such as a mass
storage device, or any combination of these devices. Execution of the
sequences of instructions causes the processing unit to perform steps
according to the present invention.

This section merely teaches that a processing unit in a network interface device
processes instructions stored in random access memory, read only memory or other types

of storage devices. There is nothing in this section or any other section of Stern that teaches a browser, let alone simulating a browser to communicate through a firewall. In fact, nowhere is the word "browser" even mentioned in Stern. This is because Stern is directed to an entirely different problem than the present invention. That is, Stern is concerned with providing a network interface device which allows a secure representation of network services to a host computer. Conversely, the presently claimed invention is concerned with simulating a browser to communicate through a firewall. Thus, Stern does not teach or suggest instructions to simulate a browser in the data processing system in which the browser being simulated is able to communicate through the firewall and communicate with the host directly instead of using the browser.

In view of the above, Applicant respectfully submits that Stern does not teach each and every feature claim 13 as required under 35 U.S.C. § 102(b). At least by virtue of their dependency on claim 13, Stern does not teach each and every feature of dependent claims 15 and 17. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 13, 15 and 17 under 35 U.S.C. § 102(b).

V.   35 U.S.C. § 103, Alleged Obviousness of Claims 6-8 and 23-25

The Office Action rejects claims 6-8 and 23-25 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Rogers et al. (U.S. Patent No. 5,974,441) in view of Amstein et al. (U.S. Patent No. 5,793,966). This rejection is respectfully traversed at least by virtue of their dependency on claims 1 and 18.

Rogers does not teach or suggest simulating a browser in a data processing system wherein the browser being simulated is able to communicate through a firewall, and wherein simulating the browser includes preparing an encoded data stream similar to one that is sent by an actual browser, or communicating with a host directly using the simulation instead of using a browser, as set forth above and agreed upon by Examiner Bruckart in the February 17, 2004 telephone interview. In addition, Amstein does not provide for the deficiencies of Rogers. That is, Amstein also does not teach or suggest simulating a browser in a data processing system wherein the browser being simulated is

able to communicate through a firewall, or communicating with the host directly using the simulation instead of using a browser.

Amstein is directed to a system for providing a client/server system, using a Web server that allows for the creation and maintenance of an on-line service using a client system which remotely causes the server to perform operations required in the authoring process. Amstein provides a mechanism through which a client system remotely causes a server system to perform one of a collection of operations which support the creation and maintenance of an on-line service. These operations may be performed by a server extension program that is called by the server program via the Common Gateway Interface (CGI). Alternatively, these operations can be implemented directly in the server program. (Summary) There is nothing in Amstein that has anything to do with simulating a browser in a data processing system wherein the browser being simulated is able to communicate through a firewall, or communicating with a host directly using the simulation instead of using a browser.

Furthermore, there is no motivation to combine Rogers and Amstein. The Office Action alleges that the motivation to combine Rogers and Amstein is to perform one of a collection of operations, which support the creation and maintenance of an online service overcoming the problem of requiring additional installation for post and get methods.

Rogers and Amstein are concerned with entirely different problems. Rogers is directed to a system that allows web users to request information that is created by a data interpretation system and then presented by a web server to the user of the web in a form desired by the user. Amstein, on the other hand, is directed to a system that allows for the creation and maintenance of an on-line service. There is simply no teaching in either reference as to the desirability to include the features from the other reference. That is, there is nothing in Rogers that teaches or suggests supporting the creation and maintenance of an online service to overcome the problem of requiring additional installation for post and get methods despite allegations made in the Office Action. Further, there is nothing in Amstein that teaches or suggests presenting information, obtained from a data interpretation system, in a form desired by a user.

Even if one of ordinary skill in the art were somehow motivated to combine Rogers and Amstein, the combination still would not result in the claimed invention

because neither Rogers nor Amstein, either alone or in combination teach or suggest simulating a browser to communicate through a firewall as recited in independent claims 1 and 18 from which claims 6-8 and 23-25.

In view of the above, Applicant respectfully submits that neither Rogers nor Amstein, either alone or in combination, teaches or suggests the features of claims 6-8 and 23-25. Thus, Applicant respectfully submits that the rejection to claims 6-8 and 23-25 under 35 U.S.C. § 103(a) is overcome.

VI.   35 U.S.C. § 103, Alleged Obviousness of Claims 14 and 16

The Office Action rejects claims 14 and 16 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stern et al. (U.S. Patent No. 5,935,249) in view of LaBerge et al. (U.S. Patent No. 6,041,380). This rejection is respectfully traversed for at least the same reasons as noted above with regard to claim 13 from which claims 14 and 16 depend.

Stern does not teach or suggest all of the features of claim 13 from which claims 14 and 16 depend. Specifically, Stern does not teach or suggest instructions to simulate a browser in a data processing system in which the browser being simulated is able to communicate through a firewall and communicate with a host directly instead of using a browser, as set forth above. In addition, LaBerge does not provide for the deficiencies of Stern. That is, LaBerge also does not teach or suggest instructions to simulate a browser in a data processing system in which the browser being simulated is able to communicate through a firewall and communicate with a host directly instead of using a browser.

LaBerge is directed to a method for increasing the number of devices capable of being connected to a host bus. In LaBerge, a plurality of bus phases is used to represent a predetermined set of signals. These signals are clocked from a first bus to a second bus in such a manner that the first and second buses are able to follow the same logical protocol. LaBerge has nothing to do with simulating a browser to communicate through a firewall. Consequently, LaBerge does not teach or suggest instructions to simulate a browser in a data processing system in which the browser being simulated is able to

communicate through a firewall and communicate with a host directly instead of using a browser

Furthermore, there is no motivation to combine Stern and LaBerge.
Stern and LaBerge have nothing to do with each other. Stern is concerned with providing a network interface device which allows a secure representation of network services to a host computer. LaBerge, on the other hand, is directed to a method for increasing the number of devices capable of being connected to a host bus. There is simply no teaching in either reference as to the desirability to include the features from the other reference. That is, there is nothing in Stern that suggests the need to overcome the problems of a lower clock rate despite allegations made on page 9 of the Office Action. Similarly, there is nothing in LaBerge that suggests the need for incorporating network security on a network interface device.
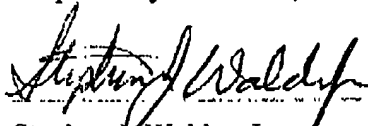
In view of the above, Applicant respectfully submits that neither Stern nor LaBerge, either alone or in combination, teaches or suggests the features of claims 14 and 16. Thus, Applicant respectfully submits that the rejection to claims 14 and 16 under 35 U.S.C. § 103(a) is overcome.

VII.   Conclusion

It is respectfully urged that the subject application is patentable over Rogers, Stern, Amstein and LaBerge and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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